

SUPREME COURT OF CALIFORNIA

**NOTICE OF
FORTHCOMING FILING**

The Supreme Court has indicated that the filing of a written opinion in the following case(s) is forthcoming. At the filing time designated below, the filed opinion(s) will be accessible at the judicial branch web site (www.courtinfo.ca.gov) and copies will be made available at the Supreme Court Clerk's Office.

[Generally, the description set out with regard to each case is reproduced from the original news release issued when review in the matter was granted, and is provided for the convenience of the public and the press. The description does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

PEOPLE v. CELIS

S107885 (D037578; San Diego County Superior Court No. SCD152535)
Argued in San Francisco 5-04-04

This case presents the following issue: Can police make a protective sweep of a residence incident to the detention of a resident outside the residence?

IN RE LUCAS ON HABEAS CORPUS

S050142
Argued in San Francisco 5-26-04

In this case, which is related to the automatic appeal in *People v. Lucas* (1995) 12 Cal.4th 415, the court issued an order to show cause including the following issues: (1) Did petitioner's trial counsel fail to investigate adequately in preparation for the penalty phase of the trial, and, if so, was the failure to investigate prejudicial? (2) Did prejudicial jury misconduct occur at the guilt phase of the trial?

PEOPLE v. WALLACE

S113321 (A092782; Contra Costa County Superior Court No. 000223-8)
Argued in San Francisco 5-27-04

This case includes the following issue: Did the trial court abuse its discretion in dismissing a prior conviction allegation under the three-strikes law, where the court, in exercising its discretion, considered evidence presented at the preliminary hearing in the prior case that preceded the defendant's guilty plea in that matter?

Opinion(s) in the above case(s) will be filed on:

Monday , July 26, 2004 at 10:00 a.m.
